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PHILLIP A. TALBERT 1 United States Attorney DENISE N. YASINOW 2 Assistant U. S. Attorney 501 I Street, Suite 10-100 3 Sacramento, CA 95814 Telephone: (916) 554-2700 4 5 6 7 IN THE UNITED STATES DISTRICT COURT 8 EASTERN DISTRICT OF CALIFORNIA 9 10 11 UNITED STATES OF AMERICA, 2:21-CR-00077-01 WBS 12 Plaintiff. PRELIMINARY ORDER OF FORFEITURE 13 v. 14 JAMES DEAN MILLER, 15 Defendant. 16 17 Based upon the plea agreement entered into between plaintiff United States of America and defendant James Dean Miller it is hereby ORDERED, ADJUDGED AND DECREED as follows: 18 Pursuant to 18 U.S.C. § 2253(a), defendant James Dean Miller's interest in the following 19 1. property shall be condemned and forfeited to the United States of America, to be disposed of according 20 to law: 21 22 a. LG cellular phone, model MS210, IMEI number 353191.09.066.9813; and LG cellular phone, model LG-M430, IMEI number 356114085298122.2. 23 b. The above-listed property was used or intended to be used to commit or to promote the 24 commission of a violation of 18 U.S.C. § 2251(a). 25 3. Pursuant to Rule 32.2(b)(3), the Attorney General (or a designee) shall be authorized to 26 27 seize the above-listed property. The aforementioned property shall be seized and held by the U.S. 28 Marshals Service, in its secure custody and control.

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4. a. Pursuant to 18 U.S.C. § 2253(b), incorporated by 21 U.S.C. § 853(n), and Local December 21 U.S.C.
Rule 171, the United States shall publish notice of the order of forfeiture. Notice of this Order and not
of the Attorney General's (or a designee's) intent to dispose of the property in such manner as t
Attorney General may direct shall be posted for at least 30 consecutive days on the official internal
government forfeiture site www.forfeiture.gov. The United States may also, to the extent practical
provide direct written notice to any person known to have alleged an interest in the property that is
subject of the order of forfeiture as a substitute for published notice as to those persons so notified.

- b. This notice shall state that any person, other than the defendant, asserting a legal interest in the above-listed property, must file a petition with the Court within sixty (60) days from the first day of publication of the Notice of Forfeiture posted on the official government forfeiture site, or within thirty (30) days from receipt of direct written notice, whichever is earlier.
- 5. If a petition is timely filed, upon adjudication of all third-party interests, if any, this Court will enter a Final Order of Forfeiture pursuant to 18 U.S.C. § 2253(a), in which all interests will be addressed.

IT IS SO ORDERED.

Dated: May 27, 2022

WILLIAM B. SHUBB

UNITED STATES DISTRICT JUDGE

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